

2004 OCT 26 10:11:36
FROM: GREGORY J. EHARDT
TO: LISA M. BLASER
SUBJECT: CIVIL
COURT: DISTRICT OF IDAHO

EHARDT SMITH & TORGESEN
Marty R. Anderson, ISBN 5962
1000 Riverwalk Drive, Suite 175
Idaho Falls, Idaho 83402
Attorneys for the Defendants
Tel. (208) 542-9292 Fax (208) 532-2518

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO**

**HOLM CONSTRUCTION, LLC, an
Idaho Limited Liability Company, in the
name of THE UNITED STATES OF
AMERICA,**

Plaintiff,

vs.

**DESERT SAGE CONTRACTORS, INC.,
an Idaho Corporation, and
DEVELOPERS SURETY AND
INDEMNITY COMPANY, Surety,**

Defendants.

And related Counterclaim.

Case No. CV-03-273-E-LMB

**STIPULATED LITIGATION PLAN - D.
Idaho L. Civ. R. 16.1**

**COME NOW, the Plaintiff, HOLM CONSTRUCTION, LLC, by and
through its attorney of record, Stephen S. Blaser of the law firm of Blaser Sorensen &
STIPULATED LITIGATION PLAN - D. Idaho L. Civ. R. 16.1 - 1**

24

Hansen, Chtd, and the Defendants/Counterclaimant, DESERT SAGE CONTRACTORS, INC., and DEVELOPERS SURETY AND INDEMNITY COMPANY, by and through their attorneys of record, Marty R. Anderson and the law firm of Ehardt, Smith & Torgesen, PLLC, and pursuant to D. Idaho L. Civ. R. 16.1, and submits the following proposed Litigation Plan:

SCHEDULING CONFERENCE FORM / LITIGATION PLAN

CASE #: CV-03-273-E-LMB NATURE OF SUIT: Breach of Construction Contract/Miller

CASE NAME: Holm Construction v. Desert Sage Contractors and Developers Surety

ASSIGNED JUDGE: Chief U.S. Magistrate Judge Larry M. Boyle

PARTY BEING REPRESENTED:

☐ Plaintiff ☒ Defendant ☐ Parties stipulated to the following dates:

PLAINTIFF'S ATTORNEY/LAW FIRM NAME: Stephen S. Blaser

ADDRESS: Blaser Sorensen & Hansen, Chtd.

285 NW Main P.O. Box 1047, Blackfoot, ID 83221

TELEPHONE: (208) 785-4700

DEFENDANT'S ATTORNEY/LAW FIRM NAME: Marty R. Anderson

ADDRESS: Ehardt, Smith & Torgesen, PLLC

1000 Riverwalk Drive, Ste. 175, Idaho Falls, ID 83402

TELEPHONE: (208) 542-9292

1. JOINDER OF PARTIES & AMENDMENT

OF PLEADINGS CUT-OFF DATE: December 15, 2004

2. EXPERT TESTIMONY DISCLOSURES: (Local Rule 26.2 (b))

Plaintiff identify & disclose expert reports by: January 14, 2005

Defendant identify & disclose expert reports by: February 15, 2005

All discovery relevant to experts shall be completed by: April 1, 2005

STIPULATED LITIGATION PLAN - D. Idaho L. Civ. R. 16.1 - 2

DATED this 20th day of October, 2004

EHARDT SMITH & TORGESEN, PLLC

By



Marty R. Anderson

Attorneys for Defendants Desert Sage and
Developers

STIPULATED LITIGATION PLAN - D. Idaho L. Civ. R. 16.1 - 4

3. NUMBER AND LENGTH OF DEPOSITIONS: In accordance with Local Rule 30.1
- (1 day for 7 hours)
4. Factual DISCOVERY CUT-OFF DATE: February 25, 2005
5. DISPOSITIVE MOTIONS FILING CUT-OFF DATE: April 29, 2005
6. SETTLEMENT CONFERENCE DATE: (Local Rule 16.4) Parties request a
settlement conference after motions filed. ☒ yes or ☐ no (To be set by referred
Judge)
7. ALTERNATIVE DISPUTE RESOLUTION OPTIONS: (Local Rule 16.5) Should the
parties elect to participate in, please check which available option:
☒ Mediation (Local Rule 16.5)
☐ Arbitration (Local Rule 16.5)
8. PRETRIAL CONFERENCE DATE: (Local Rule 16.2) This shall be set by the Court
as trial date approaches.
9. ESTIMATED LENGTH OF TRIAL: ☒ 2 days ☐ _____ weeks
COURT ☒ or JURY ☐
10. TRIAL DATE: (to be entered by Court) However, please enter proposed available
dates
Plaintiff August 1-30
Defendant August 15-26, 2005

DATED this 20 day of October, 2004

BLASER SORENSEN & HANSEN, CHTD

By

Stephen S. Blaser

Attorneys for Plaintiff Holm Construction

STIPULATED LITIGATION PLAN - D. Idaho L. Civ. R. 16.1 - 3